

Amendment No. 1 to HB0794

**Chumney
Signature of Sponsor**

AMEND Senate Bill No. 1119

House Bill No. 794*

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 37-1-119, is amended by deleting the section in its entirety and substituting instead the following:

(a) A petition may be made by any person, including a law enforcement officer, who has knowledge of the facts alleged or is informed and believes the facts alleged are true.

(b) In addition to the requirements of section 36-1-120, a petition shall set forth with particularity the factual and other allegations relied upon in asserting that the respondent is within the juvenile court's jurisdiction, including:

(1) The date of birth of the juvenile;

(2) The approximate date, manner, and place of the acts alleged as the basis of the court's jurisdiction; and

(3) Whether the petition alleges delinquent, unruly, dependent/neglected, or other category of jurisdiction; and all petitions alleging that a juvenile is dependent, neglected, or abused shall be referred to the department of children's services.

(c) Upon the filing of the petition, the case shall be set for hearing, appearance, or settlement in accordance with local rules and procedures for the setting of cases. An arrest order or attachment may be sought on the petition in accordance with this chapter.

(d) In addition to the requirements of subsection (b), if a petition alleges a delinquent act, the following shall also apply:

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(1) The petition shall be accompanied by a written affidavit of complaint alleging that the juvenile has committed an offense and alleging the essential facts constituting the offense charged. The affidavit of complaint shall be made upon oath before a designated officer of the court.

(2) A delinquent petition shall set forth the state statute or county, city or municipal code or statute alleged to have been violated.

(e) When a petition has been drafted and filed pursuant to this part, an arrest order, attachment, or summons shall be issued.

(f) The parties, other than the juvenile, may waive service of summons by written stipulation or by voluntary appearance at the hearing.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.